DETAILED ACTION

Response to Amendment

1. The office action is in response to communication filed 09/02/2008. Amended claims 3, 4, and newly added claims 6-8 are pending. Claims 1, 2, and 5 are canceled.

Response to Arguments

2. Applicant's arguments filed 09/02/2008 have been fully considered but they are not persuasive. Applicant asserts that DeCarmo does not use a parental control level from the carrier player to control play of data. Examiner respectfully disagrees with that assessment of the reference. DeCarmo discloses (¶0009) that the rating manager in the digital playback apparatus receives the content rating from the user. DeCarmo further discloses (¶0044) that the rating manager informs the DVD system about the preferred parental control set by the user. System matches user's control rating with input stream's rating information and it enables/disables the video contents of input streams based on the set parental control level. Furthermore, Applicant alleges that DeCarmo does not disclose a comparison between a current parental control level from said information carrier player and said preset parental control level for authorizing or not the reading of said information carrier. Examiner respectfully disagrees. DeCarmo discloses (¶0009) that the rating manager in the digital signal apparatus receives the content rating from the user. DeCarmo further discloses (¶0044) that the rating manager informs the DVD system about the preferred parental control set by the user. System matches user's control setting with preset DVD's parental control rating and it

enables/disables the video contents of DVD based on the set parental control level. Furthermore, Applicant alleges that DeCarmo does not disclose a comparison between a current parental control level from said information carrier player and said rating level associated with said server data, for authorizing or not the access to said data. Examiner respectfully disagrees. DeCarmo discloses (¶0031, ¶0043 and ¶0044) that the rating manager exchanges its rating information entered by the user with parental control information of the digital broadcast packet and after authenticating rating level of video streams with set parental control level, it either grants or denies access to video streams. See the rejection below.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 3, 4, and 6-8** are rejected under 35 U.S.C. 102(b) as being anticipated by US PG Pub 2002/0016962 A1 to DeCarmo et al (hereafter referenced as DeCarmo).

Regarding **claim 3,** "an information carrier player intended to read an information carrier which is associated with a preset parental control level and to control a user access to server data associated with a rating level" reads on the digital signal playback apparatus that controls access to a digital cable and DVD in DVD disk drive using rating manager (abstract and ¶0030) disclosed by

DeCarmo and represented in Figs. 1 and 2 (elements 202, 210, 218). DeCarmo further discloses (¶0044) that the information carrier such as DVD contains multiple parental control levels and based on the parental control level set by user in rating manager, it either enables or disables the video contents. Rating manager in an apparatus sets the parental control for all the input devices such as digital broadcast cable which exchanges its ratings information with the rating manager.

As to "said information carrier player comprising: first switching means controlled by a first control signal derived from a first comparison between a current parental control level from said information carrier player and said preset parental control level, for authorizing or not the reading of said information carrier" DeCarmo discloses (¶0009) that the rating manager receives the content rating from the user. DeCarmo further discloses (¶0044) that the rating manager informs the DVD system about the preferred parental control set by the user. System matches user's control setting with DVD's parental control and it enables/disables the video contents of DVD based on the set parental control level.

As to "second switching means controlled by a second control signal derived from a second comparison between said current parental control level from said information carrier player and said rating level associated with said server data for authorizing or not the access to said data" DeCarmo discloses (¶0031, ¶0043 and ¶0044) that the rating manager exchanges its rating

information entered by user with digital broadcast cable and after authenticating rating level of video streams with set parental control level, it either grants or denies access to video streams.

Regarding **claim 4,** "the information carrier player comprising look-up means for generating, from said rating level, a modified rating level intended to be used for said second comparison" DeCarmo discloses (¶0045-¶0058) that the each input video stream received from digital broadcast cable must register with rating manager where registration process communicates information such as violence level, sexual level, adult language, etc to the rating manager. Based on this information, rating manager performs a series of checks against its own database before granting access to the data stream.

Regarding **claim 6,** "a method of controlling user access to an information carrier and to a server" reads on the method for digital signal playback apparatus that controls access to a digital cable and DVD in DVD disk drive using rating manager (abstract and ¶0030) disclosed by DeCarmo and represented in Figs. 1 and 2 (elements 202, 210, 218). DeCarmo further discloses (¶0044) that the information carrier such as DVD contains multiple parental control levels and based on the parental control level set by user in rating manager, it either enables or disables the video contents. Rating manager

in an apparatus sets the parental control for all the input devices such as digital broadcast cable which exchanges its ratings information with the rating manager.

As to "the method comprising acts of: accessing an information carrier with an information carrier player, the accessing being consistent with a result of a comparison between a current parental control level from the information carrier player and a preset parental control level from the information carrier" DeCarmo discloses (¶0009) that the rating manager receives the content rating from the user. DeCarmo further discloses (¶0044) that the rating manager informs the DVD system about the preferred parental control set by the user. System matches user's control setting with DVD's parental control and it enables/disables the video contents of DVD based on the set parental control level.

As to "accessing server data associated with a rating level, the accessing being consistent with a result of a comparison between the current parental control level from the information carrier player and the rating level associated with the server data" DeCarmo discloses (¶0031, ¶0043 and ¶0044) that the rating manager exchanges its rating information entered by user with digital broadcast cable and after authenticating rating level of video streams with set parental control level, it either grants or denies access to video streams.

Regarding **claim 7,** "the method comprising an act of generating, from said rating level associated with the server data and a look-up table, a modified

rating level, wherein the act of accessing the server data comprises an act of accessing the server data consistent with a result of a comparison between the current parental control level from the information carrier player and the modified rating level" DeCarmo discloses (¶0045-¶0058) that the each input video stream received from digital broadcast cable must register with rating manager where registration process communicates information such as violence level, sexual level, adult language, etc to the rating manager. Based on this information, rating manager performs a series of checks against its own database before granting access to the data stream.

Regarding **claim 8,** "a computer program stored on a computer readable memory medium for controlling user access to an information carrier and to a server" DeCarmo discloses (¶0173) that his invention is implemented as a series of computer instructions or computer program stored on computer readable medium.

As to "the computer program comprising: a first program portion for controlling an information carrier player to access to an information carrier, the accessing being consistent with a result of a comparison between a current parental control level from the information carrier player and a preset parental control level from the information carrier" DeCarmo discloses (¶0009) that the rating manager receives the content rating from the user. DeCarmo further discloses (¶0044) that the rating manager informs the DVD system about the

preferred parental control set by the user. System matches user's control setting with DVD's parental control and it enables/disables the video contents of DVD based on the set parental control level.

As to "a second program portion for accessing server data associated with a rating level, the accessing being consistent with a result of a comparison between the current parental control level from the information carrier player and the rating level associated with the server data" DeCarmo discloses (¶0031, ¶0043 and ¶0044) that the rating manager exchanges its rating information entered by user with digital broadcast cable and after authenticating rating level of video streams with set parental control level, it either grants or denies access to video streams.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PINKAL CHOKSHI whose telephone number is (571) 270-3317. The examiner can normally be reached on Monday-Friday 8 - 5 pm (Alt. Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Pendleton can be reached on 571-272-7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/P. C./
Examiner, Art Unit 2425

/Brian T. Pendleton/
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